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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,260

08/23/2006

Thomas Falck

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24737

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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BRIARCLIFF MANOR, NY 10510

EXAMINER

DUONG, OANH L

ART UNIT

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2455

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,260	<b>Applicant(s)</b> FALCK ET AL.	
	<b>Examiner</b> OANH DUONG	<b>Art Unit</b> 2455	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>01/19/2007</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-10 are presented for examination.
2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

#### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).

#### ***Specification Objection***

3. The disclosure is objected to because of the following informalities: Section headings such as "Field of the invention," "Description of Related Art," "BRIEF SUMMARY OF THE INVENTION," "BRIEF DESCRIPTION OF THE DRAWING(s)," and "DETAILED DESCRIPTION OF THE INVENTION" are missing.

Appropriate correction is required.

***Claim Objections***

4. Claims 1-10 are objected to because of the following informalities:

Claim 1 recites the limitation "the given sub-network" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "the terminals" and "the addresses" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Feature "its" or "it" should not be used in the claims 1, 3, 6, 9 and 10; and "-" in claim 10 should be removed.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 9-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 9, it is not known that the feature "at least one slave terminal" in line 1 and "at least one slave terminal" in line 2 refer to two separate terminals or the same terminal. If it refers to the same terminal, "said at least one slave terminal" should be recited in line 2.

Regarding claim 10, it is not known how a terminal is arranged, as a master terminal..., as a master terminal of a corresponding slave terminal..., *and* as a master

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terminal of an inquiring slave terminal. It is also not known what sub-network "its own sub-network" refers to. The feature " - to instruct a slave terminal or device to exchange sub-network information with another sub-network - as a master terminal or device of a responding slave terminal, to dissolve its own sub-network" in lines 6-9 does not have a clear meaning.

### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1, 2, 4-6, and 8-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Johansson et al. ("Johansson"), US 2002/0044549 A1.

Regarding claim 1, Johansson teaches a network (i.e., scatternet, Fig. 3) comprising at least two sub-networks (i.e., piconet 1, piconet 2, and piconet 3), each having at least one slave terminal or device and a master terminal or device connected thereto (i.e., Fig. 3 page 1 paragraph [0007]) that is arranged to instruct at least one slave terminal or device in the given sub-network to exchange sub-network information with other sub-networks (i.e., page 6 paragraph [0082]-[0086] , wherein an inquiring or responding state is provided for a slave terminal or device that has been instructed to exchange information (i.e., page 2 paragraph [0014]), the master terminal or device of a

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responding slave terminal or device being arranged to dissolve its sub-network, and the master terminal or device of an inquiring slave terminal being arranged to merge the terminals or devices of the dissolved sub-network into its own sub-network (i.e., page 8 paragraphs [0093]-[0094]).

Regarding claim 2, Johansson teaches a network as claimed in claim 1, characterized in that a slave terminal that is instructed to exchange information is arranged to report its network membership (i.e., .page 24 paragraph [0225]).

Regarding claim 4, Johansson teaches a network as claimed in claim 1, characterized in that, when establishing a connection to other terminals or devices, the master terminal or device is arranged to check compliance with conditions for merging a terminal or device as a slave terminal or device into the sub-network (i.e., page 5 paragraph [0089]).

Regarding claim 5, Johansson teaches a network as claimed in claim 4, characterized in that the master terminal or device is arranged to merge a terminal or device as a slave terminal or device into the network provided the slave terminal or device is not included in a blacklist (i.e., page 8 paragraphs [0093]-[0094]).

Regarding claim 6, Johansson teaches a network as claimed in claim 1, characterized in that a slave terminal or device participating in communications on the

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network that has not been instructed by the master terminal or device to exchange sub-network information is arranged not to change to a state in which it transmits inquiries or a response to an inquiry from another terminal or device (i.e., page 6 paragraph [0082]-page 7 paragraph [0086]).

Regarding claim 8, Johansson teaches a network as claimed in claim 1, characterized in that the master terminal or device is arranged to instruct only a single slave terminal or device that is not participating in communications to exchange sub-network information with other sub-networks (i.e., page 1 paragraph [0008]).

Regarding claim 9, Johansson teaches a sub-network (i.e., piconet, Fig. 3) comprising at least one slave terminal or device, and a master terminal or device (i.e., Fig. 3 page 1 paragraph [0007]) connected thereto that is arranged to instruct at least one slave terminal or device in a sub-network to exchange sub-network information with other sub-networks (i.e., page 6 paragraph [0082]-[0086], wherein an inquiring or responding state is provided for a slave terminal or device that has been instructed to exchange information (i.e., page 2 paragraph [0014]), the master terminal or device of a responding slave terminal or device being arranged to dissolve its sub-network, and the master terminal or device of an inquiring slave terminal or device being arranged to merge the terminals or devices of the dissolved sub-network into its own sub-network (i.e., page 8 paragraphs [0093]-[0094]).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 3, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson, in view of Tony et al. ("Tony"), US 2001/0002912 A1.

Regarding claim 3, Johansson teaches a network as claimed in claim 1.

Johansson does not explicitly teach the master terminal or device is arranged to notify all the slave terminals or devices in its own sub-network of the addresses of all the terminals or devices that are merged in its own sub-network.

Tony, in the same field of endeavor, teaches the master terminal or device is arranged to notify all the slave terminals or devices in its own sub-network of the addresses of all the terminals or devices that are merged/joined in its own sub-network (i.e., page 6 paragraph [0086]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Johansson to notify all the slave terminals in the sub-network the addresses of all the terminals that are merged/joined the sub-network as taught by Tony. One would be motivated to do so to provide an efficient mechanism to make all relevant information available to all slave units in a timely manner (Tony, page 4 paragraph [0046]).



Regarding claim 7, Johansson-Tony teaches a network as claimed in claim 1, characterized in that a terminal or device has a first software component that operates to the Bluetooth standard and a second software component for controlling the first software component, which second software component is arranged to convert instructions from a third (i.e., Tony, Fig. 10 page 5 paragraph [0075]), application-oriented software component, and in that the second software component is arranged for merging sub-networks (i.e., .Johansson, page 9 paragraph [0099]).

Regarding claim 10, Johansson teaches a terminal that is provided as a slave terminal or device **or** master terminal or device in a sub-network (i.e., wherein the terminal or device is arranged, as a master terminal or device,

to instruct a slave terminal or device to exchange sub-network information with another sub-network (i.e., page 6 paragraph [0082]-[0086])

as a master terminal or device of a responding slave terminal, to dissolve its own sub-network, as a master terminal or device of an inquiring slave terminal or device, to merge the terminals or devices from the dissolved sub-network into its own sub-network (i.e., page 8 paragraphs [0093]-[0094]),

and wherein the terminal or device is arranged, as a slave terminal or device, to exchange sub-network information in an inquiring or responding state (i.e., page 2 paragraphs [0014]-[0015]),

to pass on the sub-network information received to its own master terminal or device (i.e., page 6 paragraph [0082]),

when not instructed by the master terminal or device to exchange sub-network information, not to inquire or to respond to inquiries from a terminal or device (i.e., page 6 paragraph [0082]-page 7 paragraph [0086]).

Johansson does not explicitly teach notify all the terminals or devices merged in its own sub-network of the addresses of all the terminals or devices merged in its own sub-network.

Tony, in the same field of endeavor, notify all the terminals or devices merged/jointed in its own sub-network of the addresses of all the terminals or devices merged in its own sub-network (i.e., page 6 paragraph [0086]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teachings of Johansson to notify all the terminals or devices merged/jointed in its own sub-network of the addresses of all the terminals or devices merged/jointed in its own sub-network as taught by Tony. One would be motivated to do so to provide an efficient mechanism to make all relevant information available to all slave units in a timely manner (Tony, page 4 paragraph [0046]).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to OANH DUONG whose telephone number is (571)272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Oanh Duong/  
Primary Examiner, Art Unit 2455